

NO. 25820

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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KRIS TAYLOR, Plaintiff-Appellee

vs.

AMERASIAN LAND COMPANY, INC., Defendant-Appellant

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APPEAL FROM THE THIRD CIRCUIT COURT  
(CIV. NO. 02-1-0099K)

ORDER GRANTING PLAINTIFF-APPELLEE KRIS TAYLOR'S  
MOTION TO DISMISS APPEAL WITH PREJUDICE

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Plaintiff-Appellee Kris Taylor's motion to dismiss the appeal of Defendant-Appellant Amerasian Land Company, Inc. and for fees and costs, the papers in support, and the records and files herein, it appears that: (1) on May 7, 2004, this court issued an order striking Appellant's opening brief for noncompliance with the appellate rules; (2) this court ordered Appellant to file an amended opening brief by May 27, 2004; and (3) Appellant did not file an amended opening brief as required. Therefore,

IT IS HEREBY ORDERED that the motion to dismiss the appeal is granted, and this appeal is dismissed.

IT IS FURTHER ORDERED that the request for fees and costs is denied.

DATED: Honolulu, Hawai'i, June 21, 2004.

Neil F. Hulbert and  
Troy T. Fukuhara  
for plaintiff-appellee  
on the motion